

EXHIBIT 129

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 SHERMAN DIVISION
4 THE STATE OF TEXAS, et al.,)
5 Plaintiffs,)
6)
7 VS.) Civil Action No.
8) 4:20-cv-00957-SDJ
9 GOOGLE LLC,)
10 Defendant.)
11
12

13 ORAL AND VIDEOTAPED DEPOSITION OF
14 ELIN ALM
15 MAY 2, 2024
16 (REPORTED REMOTELY)
17 *****

18 ORAL AND VIDEOTAPED DEPOSITION OF ELIN ALM,
19 produced as a witness at the instance of the Defendant,
20 and duly sworn, was taken in the above-styled and
21 numbered cause on May 2, 2024, from 8:02 a.m. to
22 10:27 a.m., before Donna Wright, CSR in and for the
23 State of Texas, reported by machine shorthand and
remotely via Zoom, pursuant to the Federal Rules of
Civil Procedure, the 22nd Emergency Order Regarding the
COVID-19 State of Disaster, and any stipulations or
agreements stated on the record or attached hereto.

24
25 Job No. CS6655501

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1 that we're bringing this case over.

2 It has to do with how we prepare our
3 case, which is work product or our attorney/client
4 product if it's an agency.

5 Q. You would agree that -- that North Dakota has
6 to show that the remedies it's seeking in this case
7 would be in the public interest, right?

8 A. That would call for a legal conclusion. But I
9 suppose.

10 Q. And you would -- you would agree that public
11 interest in part depends on how many folks within North
12 Dakota are, in fact, using the product, right?

13 A. Part of it.

14 Q. Does North Dakota know how many users within
15 the state of North Dakota use Google's ad tech
16 products?

17 A. No. Not at this time, no. I think that's
18 subject to expert discovery.

19 Q. North Dakota, when it filed the lawsuit, did
20 it know how many citizens of the state of North Dakota
21 used Google's ad tech products?

22 A. No.

23 Q. Has the state of North Dakota undertaken any
24 investigation up to this point in time to understand
25 how many users of Google ad tech products there are in

1 Q. How are those complaints received?

2 A. They either come in on a paper form or they
3 come in through our online portal.

4 Q. And who reviews those complaints?

5 A. Well, they -- they come in through our front
6 staff, who then routes them to an investigator, who
7 then routes it to whoever -- whatever investigator
8 handles that subject, or randomly, based on workload.

9 Q. Has North Dakota received any complaints about
10 Google's ad tech products through that channel?

11 A. Not the ad tech product itself, no. I do not
12 believe so.

13 Q. Or any of the other products at issue in this
14 case?

15 A. No. Mostly, the complaints we receive are
16 more about ads seen on Google or charges made by Google
17 Play. You know, those kinds of things. We don't
18 generally get consumer complaints on this kind of
19 conduct.

20 Q. I think we're reaching the hour, and I'm ready
21 for a break. So if you guys want to take a ten-minute
22 break and be back.

23 A. Sure.

24 MR. WILKERSON: That would be great.

25 Does that work for you, Elin?

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8 GOOGLE LLC,)
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8 REPORTER'S CERTIFICATION OF THE ORAL
DEPOSITION OF ELIN ALM

9 MAY 2, 2024

(REPORTED REMOTELY)

11 I, Donna Wright, a Certified Shorthand
12 Reporter and Notary Public in and for the State of
13 Texas, hereby certify to the following:

14 That the witness, ELIN ALM, was remotely duly
15 sworn by the officer and that the transcript of the
16 oral deposition is a true record of the testimony given
17 by the witness;

18 That the original deposition was delivered to
19 Mr. Jonathan Wilkerson;

20 That a copy of this certificate was served on
21 all parties and/or the witness shown herein on
22 _____;

23 I further certify that pursuant to FRCP Rule
24 30(3) that the signature of the deponent:

25 X was requested by the deponent or a party

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1 before the completion of the deposition and that the
2 signature is to be before any notary public and
3 returned within 30 days from date of receipt of the
4 transcript. If returned, the attached Changes and
5 Signature Page contains any changes and the reasons
6 therefore:

7 _____ was not requested by the deponent or a
8 party before the completion of the deposition.

9 I further certify that I am neither counsel
10 for, related to, nor employed by any of the parties or
11 attorneys in the action in which this proceeding was
12 taken, and further that I am not financially or
13 otherwise interested in the outcome of the action.

14 Certified to by me on this, the 3rd day of
15 May, 2024.

16

17

18



19

DONNA WRIGHT, Texas CSR 1971

20

Expiration Date: 11/30/24

21

VERITEXT LEGAL SOLUTIONS

22

300 Throckmorton Street

23

Ft. Worth, Texas 76102

24

Firm Registration No. 571

25

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1 CHANGES AND SIGNATURE

2 WITNESS NAME: ELIN ALM

3 DATE OF DEPOSITION: MAY 2, 2024

| 4 PAGE | LINE | CHANGE | REASON |
|--------|------|-----------------------------|---------------------|
| 5 25 | 6 | "complaints" to "complaint" | transcription error |
| 6 31 | 5 | "legal" to "illegal" | transcription error |

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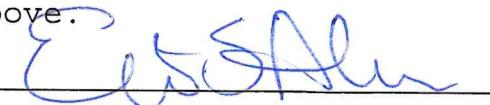
Veritext Legal Solutions

800-567-8658

973-410-4098

Page 92

1 I, ELIN ALM, have read the foregoing deposition and
2 hereby affix my signature that same is true and
3 correct, except as noted above.

4 

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6 ELIN ALM
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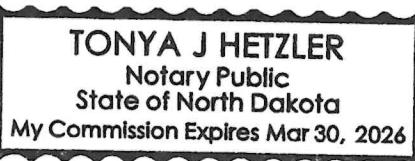
THE STATE OF NORTH DAKOTA)

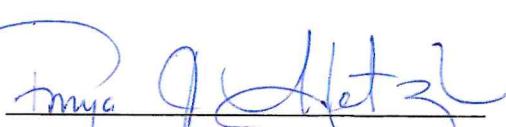
COUNTY OF BURLEIGH)

Before me, Tonya Hetzler, on this day personally
appeared ELIN ALM, known to me (or proved to me under
oath or through _____) (description of
identity card or other document) to be the person whose
name is subscribed to the foregoing instrument and
acknowledged to me that he executed the same for the
purposes and consideration therein expressed.

Given under my hand and seal of office, this

10th day of May, 2024.




NOTARY PUBLIC IN AND FOR

THE STATE OF NORTH DAKOTA

My commission expires:

March 30, 2026

 No Changes Made

X Amendment Sheet(s) Attached

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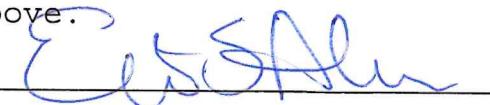
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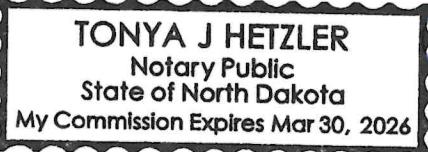
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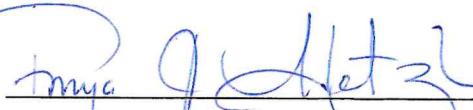
15

16 Given under my hand and seal of office, this
17 10th day of May, 2024.

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20 
21 NOTARY PUBLIC IN AND FOR

22 THE STATE OF NORTH DAKOTA

23

24 My commission expires:

March 30, 2026

25

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